

1 PHILLIP A. TALBERT  
United States Attorney  
2 BRIAN W. ENOS  
Assistant United States Attorney  
3 2500 Tulare Street, Suite 4401  
Fresno, Ca 93721  
4 Telephone: (559) 497-4000  
Facsimile: (559) 497-4099  
5

6 Attorneys for Plaintiff  
United States of America  
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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
10

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13

14 v.  
15

16 CHRISTOPHER PATTERSON,  
17 Defendant.  
18

Case No: 1:20-cr-00107 ADA/BAM

**STIPULATION TO CONTINUE MAY 1, 2023  
CHANGE OF PLEA HEARING TO MAY 30,  
2023; ORDER**

Ctrm: 1  
Date: May 30, 2023  
Time: 8:30 am

Hon. Ana de Alba

19  
20 **STIPULATION**

21 THE PARTIES HEREBY STIPULATE, through their respective counsel, Assistant United  
22 States Attorney, Brian W. Enos, on behalf of the government, and David A. Torres, Esq., on behalf of  
23 defendant Christopher Patterson ("Patterson"), that this action's May 1, 2023 change of plea hearing be  
24 continued to Tuesday, May 30, 2023, at 8:30 am and in Courtroom 1.

25 The parties base this stipulation on good cause and therefore ask the court to endorse this  
26 stipulation by way of formal order. Specifically,

27 1. In December 2022, and after extensive negotiations and thorough analyses of the  
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evidence underlying this case, the parties tentatively reached an agreement resolving it in advance of trial. A plea agreement had been delivered to the defense, and the parties stipulated to vacating a December 14, 2022 status conference and setting a February 13, 2023 change of plea hearing before Courtroom 1. Dkt. 48. The court endorsed the parties' stipulation by way of formal order. Dkt. 49.

2. Since the setting of the change of plea hearing, defense counsel met with Mr. Patterson to review the terms of the government's written plea offer in detail prior to signing. As part of this meeting, Mr. Patterson raised a single issue with defense counsel that related to one component of the sentencing guidelines calculations contained therein. Defense counsel and counsel for the government have since discussed this issue, and pursuant to the same government counsel agreed to re-visit the electronic evidence in this case, with the government's lead agent, at HSI's offices in Bakersfield. As a result of these follow up negotiations, the government endorsed the parties' stipulation to continue the change of plea hearing to April 17, 2023 by way of formal order. Dkt. 53.

3. The government has completed its re-assessment of the electronic evidence in this case with the Bakersfield Office of Homeland Security Investigations. Counsel for the parties likewise since discussed this evidence and its potential impact of the terms of the government's plea offer. As a result of these discussions, the government modified one component of the prior plea offer, and delivered the same to defense counsel roughly two weeks ago.

4. The defense promptly commenced its analysis of the government's modified plea offer with defendant and is continuing to do so. In fact, a further meeting has been scheduled to take place later this week, and the defense anticipates that defendant plans on taking a short period of time thereafter to consider the plea and discuss it with family. In light of the necessary logistics to accomplish this, the parties agree that the May 1, 2023 change of plea hearing should be briefly continued so this analysis can properly take place before the hearing.

- 1           5.     The parties have since compared respective calendars and met and conferred about  
2                 available dates wherein they could both appear at a continued change of plea hearing.  
3                 The parties have also cleared potential hearing dates with chambers of Courtroom 1. In  
4                 light of these efforts, the parties and district court are all available for a continued change  
5                 of plea hearing to take place on Tuesday, May 30, 2023 (8:30am). In light of these  
6                 efforts, the parties ask the court to endorse their stipulation to continue the May 1, 2023  
7                 change of plea hearing to May 30, 2023.
- 8           6.     The parties therefore stipulate that the period of time from May 1, 2023 through May 30,  
9                 2023 is deemed excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i)  
10                and (iv) because it results from a continuance granted by the Court at the parties' request  
11                on the basis of the Court's finding that the ends of justice served by taking such action  
12                outweigh the best interest of the public and the defendant in a speedy trial.
- 13          7.     Nothing in this stipulation and order shall preclude a finding that other provisions of the  
14                 Speedy Trial Act dictate that additional time periods are excludable from the period  
15                 within which a trial must commence.

16         IT IS SO STIPULATED.

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18         Dated: April 24, 2023

PHILLIP A. TALBERT  
United States Attorney

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20                                 By: /s/ Brian W. Enos  
21   Brian W. Enos  
22   Assistant United States Attorney

23   *(As authorized 4/24/23)*

24         Dated: April 24, 2023

By: /s/ David A. Torres, Esq.  
David A. Torres, Esq.  
Attorney for Defendant  
Christopher Patterson

**ORDER**

IT IS ORDERED that the May 1, 2023 change of plea hearing is continued to Tuesday, May 30, 2023, at 8:30 am and in Courtroom 1.

IT IS FURTHER ORDERED THAT the period of time from May 1, 2023 through May 30, 2023 is deemed excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv) because it results from a continuance granted by the Court at the parties' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

Dated: April 25, 2023

  
UNITED STATES DISTRICT JUDGE